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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1749 OF 2006

Petitioner : State of Chhattisgarh,

Versus

Respondents : Chamru & another.

ORDER

POST FOR 11/6/2007

Sd/-
Dhirendra Mishra
Judge

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1749 OF 2006

Petitioner : State of Chhattisgarh, through Collector, South Bastar, Dantewada District Dantewada (CG)

Versus

Respondents : 1. Chamru S/o Boti, by Caste Telanga, R/o Village Phoolpad, Tahsil and District Dantewada (CG)

2. Board of Revenue Chhattisgarh, Bilaspur (CG)

Present:
Mr. U.N.S.Deo, learned G.A. for the State/petitioner.
Mr. B.P. Sharma, learned counsel for respondent No.1.

O R D E R
(Passed on 11 June 2007)

Dhirendra Mishra, J

Respondent No. 1 and others namely Smt. Laxmi W/o Late Boti, Hapu S/o Podiya, Hirma S/o Podiya, Bachhu S/o Boti and Laxman S/o Lingu claiming themselves to be the owners of Khasra No.264/1 and 325/1, area 132.51 acres, moved an application on 25.6.2002 under Sections 240, 179(1) and 241(3) of the Chhattisgarh Land Revenue Code, 1959 (hereinafter referred to as 'the Code') before the Collector, Dantewada for permission of felling timber trees standing over their land on the ground that all the marked trees had dried and become hollow, he is getting notices from the income tax department for payment of tax and after felling the trees he intends to divert the land into agriculture land

after digging bore well, purchasing tractor, erecting barbed wire fencing. It was stated that the land in question is not forest land. The proceedings on his earlier application for permission were dropped in view of ban on felling trees by Hon'ble the Supreme Court. However, with the permission of the Govt. of India and as per direction of the Central Empowered Committee, the Govt. of Chhattisgarh has since revoked the ban on felling trees in Bastar division, his application may be considered and allowed.

2. The applicant filed another application dated 6.1.2003 stating therein that he does not belong to scheduled caste or scheduled tribe and therefore, no permission as envisaged under Section 240 of the Code is required. No government forest or non-government forest is situated near his land, the land in question does not come within the definition of forest as interpreted by the Hon'ble Supreme Court.

3. The Collector after registering the application of respondent No.1/applicant forwarded the same vide his order dated 31.12.2002 to the Sub Divisional Officer (Revenue), Dantewada for conducting enquiry. Report dated 20.12.2002 of the Divisional Forest Officer, Dantewada was also annexed along with the applications for his comments.

4. The S.D.O., Dantewada, after receiving the above applications directed the Naib Tehsildar, Kuakonda to conduct enquiry as per Sections 240 & 241 of the Code and as per directions issued by the State in this regard and submit his report. The Naib Tehsildar during enquiry ordered that the land in question bearing Khasra Nos. 264/1 & 325/1 area 132.51 acres, be surveyed on the basis of map available with the Panchayat and old record. The enquiry was taken up on the spot on 13.3.2003 and it was discovered that on comparison, the old map produced by respondent No.1/applicant and the map of changed Khasra No. as per new settlement record, did not correspond partially. The enquiry was again taken up on the spot on 4.5.2003 and spot inspection report was prepared. The statements of the applicant

and co-owners were recorded. Representation from the Forest Conservation Committee could not be procured as the forest committee was not constituted for the village. Report of Annexure R-1/4 was prepared in which permission for felling 445 trees was recommended and the same was forwarded to the Collector through S.D.O. on 13.5.2003. The S.D.O. while forwarding the inspection report vide his order dated 20.5.2003 did not agree with the recommendation of the Tehsildar on the ground that the number of trees recommended for felling is excessive and recommended that the applicant should be granted permission to cut such number of trees which is necessary for meeting his expenditure. However, the Collector vide his order dated 18.6.2003 of Annexure P/4 rejected the application of respondent No.1/applicant and directed the Officer-In-Charge, Land Record Section, Dantewada to register the case and find out the reasons for the discrepancies existing in the old record and the present record prepared during settlement.

5. Respondent No.1/applicant being aggrieved by the order of Annexure P/4, preferred an appeal before the Board of Revenue, Bilaspur, bearing Appeal No.17A-63/2002-2003, which was dismissed at the admission stage vide order dated 8th August 2003 of Annexure P/5. Thereafter, respondent No.1 preferred a review petition against the above order and learned single Member of the Board of Revenue vide his order dated 13th January 2004 passed in review petition No.1/A-63/2003-2004, partially allowed the appeal and accorded permission to the respondent No. 1 for felling trees standing over undisputed Khasra Nos. and accordingly, directed the Collector to issue permission for felling trees after examining the records and taking into consideration the recommendations of forest department and reports of the subordinate revenue officers. The State moved an application before the Board of Revenue to recall its earlier order dated 13.1.2004 on the ground that no review petition was maintainable against the order dated 8th August 2003, however, the same was rejected vide order dated 29.10.2004. The State impugned the

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orders dated 13.1.2004 and 29.10.2004 passed by the Board of Revenue, Bilaspur vide Writ Petition No. 1066/2005 and this Court vide order dated 16.9.2005 of Annexure P/7, disposed of the petition, set aside the above orders and remanded the matter to the Board of Revenue to decide Review Case Nos. 1/A-63/2003-2004 and 2/A-63/2003-2004 on its own merits in accordance with law within a period of four months.

6. The Board of Revenue vide impugned order of Annexure P/1 dated 7th November 2005 recorded a finding that order dated 8.8.2003 was passed by the Board of Revenue without requisitioning and perusing the record of the subordinate Court and appeal was dismissed summarily at the admission stage without considering the relevant legal provisions and therefore, a case for reviewing the order dated 8.8.2003 under Section 51 of the Code read with Section 47(1) of the C.P.C. is made out and accordingly, reviewed it and allowed the appeal of the respondent No. 1. Permission was accorded to him for felling undisputed trees standing over new Khasra No. 134, 142, 144, 1581, 1583, of girth above 124 c.m. in case of teak trees and 120 c.m. in case of other trees.

7. Learned counsel for the petitioner submitted that he has moved two applications dated 10.4.2007 and 20.4.2007 for taking documents on record and copy of these applications have been given to counsel for respondent No.1, who contended that he has no objection if the documents are taken on record. Accordingly, the applications are allowed and documents filed with above applications, are taken on record.

8. Learned counsel for the petitioner argued that learned single Member of the Board of Revenue was not eligible to hear the review petition as per Rule 7 of the "Rules Regarding Exercise of Jurisdiction By Single Members And Benches" (Annexure P-2), which reads as under:

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> "7. An application for review of an order shall be decided by the Member who or the Bench which passed the order of which review is sought. Where the Member is not available or the Bench, for any reason, cannot be reconstituted, the application shall be decided by the Member or the Bench nominated ad hoc by the President."

9. He further contended that as per communication received from the Secretary, Board of Revenue dated 19th April 2007 which has been filed along with the application dated 20th April 2007, learned single Member was not the Chairman of the Board of Revenue on the date the review petition was taken up for hearing and in view of Rule 7, he could not have entertained and decided the review petition, directed against the order dated 8.8.2003 which was admittedly passed by other Member. He further argued that specific objection to this effect was taken by the State, however, the same was not considered. The matter in question related to Bastar division and therefore, it could be heard only by a Bench of Board of Revenue at Bastar or any other Bench constituted by Chairman of the Board. Learned single Member was neither sitting Member nor Chairman of the Board. It is further argued that the learned Board of Revenue after holding that the order dated 8.8.2003 was reviewable, did not issue notice or afford an opportunity of hearing to the State to advance their arguments on merits.

10. It is submitted that review jurisdiction can be exercised only on ground of error apparent on the face of record and not on any other ground. Mere erroneous decision per se does not permit the Court to undertake review and jurisdiction of review cannot be exercised as an appeal in disguise. Grievance of respondent No.1/applicant in review petition was that his appeal was summarily dismissed without calling for record, without assessing the evidence available on record, therefore, a case of review is made out, however, the same amounted to erroneous judgment which cannot be remedied within the scope of Order 47 Rule 1 of C.P.C. and the review application on the above ground was not maintainable.

11. Reliance is placed on the decisions of the Hon'ble Apex Court reported **AIR 2003 Gujarat 157** in the matter of **Ahmedabad Electricity Co. Ltd. Vs. State of Gujarat and others**, **1995(1) SCC 170** in the matter of **Meera Bhanja (Smt.) Vs. Nirmala Kumari Choudhury (Smt.)**, **2000(6) SCC 224** in the matter of **Lily Thomas and others Vs. Union of India and others**, **1997 (8) SCC 715** in the matter of **Parsion Devi and others Vs. Sumitri Devi and others**, **AIR 1964 S.C.1372** in the matter of **M/s Thungabhadra Industries Ltd. V. The Government of Andhra Pradesh represented by the Deputy Commissioner of Commercial Taxes, Anantapur**, **AIR 1986 Calcutta 111** in the matter of **Chandmall Chopra and another Vs. State of West Bengal**, **AIR 1999 Orissa 106** in the matter of **Nilakantha Dash Vs. Dhruba Charan Sahu and others** and **AIR 2003 Madras 29** in the matter of **Jayaraman and another Vs. The Union of India and another.**

12. On the other hand, learned counsel for respondent No.1/applicant submitted that to invoke the supervisory jurisdiction under Article 227 of the Constitution of India, the petitioner is required to establish that error is manifest and apparent on the face of record and grave injustice or gross failure of justice has occasioned thereby. It is not available for correcting the mere errors of fact or law. In the instant case, the review petition of the answering respondent was initially heard by the same Bench without any objection and the review application was allowed as also the appeal, against which the State preferred writ petition, which was allowed and the matter was remanded by the High Court to the Board of Revenue with a direction to decide the review petition within a period of four moths, therefore, in these circumstances, the learned single Member entertained and decided the petition and passed the impugned order. He further submitted that from bare perusal of the order under review (Annexure P/5) it is evident that the order was passed without requisitioning the record of the subordinate Court and even without discussing the

relevant provisions of the Code which is, on the face of it, erroneous and illegal.

13. It is further argued that the land in question is the Bhumi Swami land of respondent No.1. Divisional Forest Officer, Dantewada after spot inspection vide his report of Annexure R-1/2 recommended felling of 408 trees. Proceedings for permission of felling trees initiated on his earlier application were dropped on 22nd March 2001 on the ground that Hon'ble Apex Court has imposed ban. However, thereafter, on the basis of permission by the Union of India and as per directions of the Central Empowered Committee, the State Government has lifted the ban on felling trees in Bastar division and Sections 240 and 241 of the Code has been accordingly amended in the year 2002. Since respondent No. 1/applicant is non-tribal, no permission was necessary for cutting dried timber trees standing over his Bhumi Swami land. The land in question does not come within the definition of forest and the provisions of Forest Conservation Act, 1980 are not applicable in the instant case. After processing his application the Naib Tehsildar has submitted his report vide Annexure R-1/4 and recommended that 445 trees are ripe to be cut and accordingly permission may be granted. The S.D.O. also forwarded the report of Tehsildar with positive comments, however, the Collector only on the basis of some difference with respect to description of the land of the answering respondent in the old and new record, which required correction, has rejected his application with a finding that if the permission is accorded, the State may sustain losses. The Board of Revenue after considering the recommendations of the Divisional Forest Officer, the certificate of Sarpanch that plantation of 9050 teak trees has been done and further considering the spot inspection report of Naib Tehsildar wherein felling of 445 trees was recommended, allowed the appeal and accorded permission for felling of undisputed trees standing over new Khasra Nos. 134, 142, 144, 1581, 1583 as per working plan of the forest division according to which permission may be granted for felling teak trees of girth above 124 c.m. and for other trees above 120 c.m. girth.

Thus, the order of the Board of Revenue is strictly in accordance with law and the same is based on the law laid down by the Hon'ble Supreme Court.

14. Reliance is placed on the decision of the Hon'ble Apex Court reported in **(2003) 6 SCC 675** in the matter of **Surya Dev Rai Vs. Ram Chander Rai and others** and **(2004) 11 SCC 497** in the matter of **Sri Ram Saha Vs. State of W.B. and others.**

15. Lastly, it was contended that the timber trees for which permission has been granted by the Board of Revenue has been harvested. Initially they were given in the custody of the petitioner. Subsequently, the State was permitted to auction the felled trees and it was ordered that the sale proceeds be deposited in an interest bearing account of the Nationalized Bank. Since in accordance with the permission by the impugned order the work of felling trees has already been accomplished, the validity or otherwise of the impugned order has become redundant and meaningless.

16. I have heard learned counsel for the respective parties and perused the material available on record.

17. It is not in dispute that the proceeding for permission of felling trees on the earlier application of respondent No. 1, was dropped on 22nd March 2001 with respect to same land, whereupon subsequent application for permission to fell trees standing over Khasra Nos. 264/1 & 325/1 area 132.51 acres recorded in the name of respondent No.1 and others, was filed. The permission was sought on the ground that (i) respondent No.1/applicant is required to pay income tax, (ii) after felling of the trees he intends to divert the above land into agricultural land after fencing by barbed wire, purchasing tractor and digging bore well. The new settlement record of village Phulpad was obtained in the year 1996, according to which new numbers have been allotted to the holdings of respondent No.1/applicant. From report of the Tehsildar of Annexure R-1/4 it also appears that on demarcation

and comparison of map it was discovered that there was some addition and alternation in the areas. From the order sheets of Annexure R-1/3 dated 11.3.2003 & 13.3.2003 it reflects that survey was done on the basis of old revenue records and map available with the Panchayat as the land records and current map were deposited by the concerned Patwari in the land record section and on comparison, the map of the old record did not correspond with the map of the record prepared on the basis of new settlement. From report of the Tehsildar as also from the report of joint Collector, which has been subsequently filed along with the application dated 10.4.2007, it appears that in the holding of respondent No. 1 i.e. Khasra No. 264/1, Government land and other private land have been clubbed. The land has been described as *'Bare Jhar Ka Jungle'* whereas in Khasra No. 325/1 also Government land and land of other farmers have been clubbed in new record after settlement. In the map prepared during settlement is erroneous and the land has been described as *'Chhote Jhar Ka Jungle'*.

18. Learned Board of Revenue relying upon the report of Annexure R-1/2 of the Divisional Forest Officer, has reached to the conclusion that land in question is not forest land, land of the applicant does not belong to the category of protected or reserved forest, it does not come within the definition of forest, provisions of Forest Conservation Act, 1980 are not applicable and there is no impediment in granting permission under Sections 179, 240 and 241 of the Code as from perusal of the report of Tehsildar as also from that of D.F.O. it is clear that the land in question is not in congruity with the forest border, nor it is within 30 meters from any source of water, from any religious place or cremation place, the land is also not within 15 meters from any road or 6 meters within pedestrian path.

19. The Hon'ble Supreme Court in the matter of **T.N. Godavarman Thirumulpad Vs. Union of India and others (W.P.202 of 1995)** reported in **(1997) 2 SCC 267**, interpreting

meaning of 'Forest' under Section 2 of the Forest Conservation Act, 1980 has held that provisions of this Act must apply to all types of forests irrespective of the nature of ownership or classification thereof. The word "forest" must be understood according to the dictionary meaning. The Court clarified that this description covers all statutorily recognized forest, whether designated as reserved, protected or otherwise for the purpose of section 2 of the Act. The term 'forest' land as occurring in section 2 will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership.

20. Having extended the scope of the Act, the Hon'ble Apex Court further directed each State Government to constitute an expert committee within a month to – identify areas which are 'forest' irrespective of whether they are so notified, recognized or classified under any law, and irrespective of the ownership of the land of such forest, identify areas which were earlier forests but stand degraded, denuded or cleared; and identify areas covered by plantation trees belonging to the Government and those belonging to private persons. The Court also directed that all on going activity within any forest in any state throughout the country, without the prior approval of the Central Government, must cease forthwith. Significantly, the felling of tress in all forests is to remain suspended except in accordance with working plans of the state governments, as approved by the Central Government.

21. In the above T.N. Godavarman's case the Hon'ble Apex Court vide order dated 16th December 1997 reported in **(1998) 9 SCC 632,** while deciding the interim applications and after perusing the interim report of Lokayukta of Madhya Pradesh observed that a relative of former minister was permitted to fell 849 trees standing over the land described "*Bare Jhar ka Jangal*". This was facilitated by the Government officials particularly by the former Commissioner of Bastar. The State Governmet was asked to file an

affidavit stating the action, if any, taken against the errant officials for the above conduct.

22. In the aforesaid matter, the Hon'ble Apex Court vide order dated 7th January 1998 reported in (1998) 2 SCC 341 taking note of the fact that the State Government was unable to deal with the matter expeditiously in spite of the report of Lokayukta of M.P., directed that to uphold the rule of law, investigation into entire matter covered by the report of Lokayukta of M.P. be made by C.B.I. and necessary follow-up actions including prosecution of the person found involved should also be initiated by the C.B.I.

23. The Hon'ble Apex Court through series of directions, orders and judgments passed from time to time in the matter of T.N. Godavarman (supra) has interpreted the Forest Conservation Act through purposeful construction so as to ensure its implementation in its true letter and spirit and the Central Empowered Committee was constituted vide order dated 9.5.2002 for the purpose of redressing grievances of any individual against the action taken against them by the authorities in purported compliance of the orders passed by the Hon'ble Supreme Court. From perusal of the various orders, directions and judgments passed by the Hon'ble Supreme Court it is manifestly clear that irrespective of the nature of the holding whether it is held by the land owner in the capacity of Bhumiswami or Malik Makbooja, felling of the trees in all forests is to be effected only in accordance with the working plans of the State Government as approved by the Central Government. The Hon'ble Supreme Court has seriously deprecated the actions of the revenue authorities in according permission of felling trees standing over the land described as Bade Jhad Ka Jungle and directed investigation into the entire matter by the C.B.I. and prosecution of the persons found involved. Working plans/schemes are necessary for felling trees from any non-forest areas including lands which are required to be treated as forest as per order dated 12.12.1996 and no felling was to be done unless budgetary provisions exists for regeneration

of such forest. Detailed guidelines were to be framed by the State Government and approved by the Ministry of Environment and Forest, Govt. of India, for non-forest areas and private plantation and no felling was to be done till guidelines became effective.

24. The question for consideration in the instant matter is- "whether the land in question comes within the definition of forest?" and "whether the permission accorded by the Board of Revenue for felling trees on the recommendations of the Divisional Forest Officer and subordinate revenue authorities, is in conformity with the various orders, directions and judgments passed by the Hon'ble Supreme Court from time to time in Godavarman's case?"

25. From the material available on record, the undisputed facts emerging may be summarized as under:

(i) that proceedings for permission of felling trees from the land bearing Khasra Nos. 264/1 & 325/1 was dropped on 22nd March 2001 in view of the ban imposed by the Hon'ble Supreme Court in this regard;

(ii) that respondent No. 1 moved applications dated 23.6.2002 and 6.1.2003 under Sections 240, 179(1) and 241(3) of the Code for permission of felling trees on the ground that after felling trees he shall convert the land for agriculture and he intends to purchase tractor, dig bore well and fence his land by barbed wire for protection of his crops from animals, he is in the need of money for paying income tax to the tune of Rs.1,50,000/-;

(iii) that report of Annexure R-1/2 of the Divisional Forest Officer was submitted in pursuance of memorandum dated 4.11.2000 of the Collector, which was probably issued on the basis of earlier application of respondent No. 1 for permission of felling trees. However, no report was requisitioned by the Collector from the

D.F.O. on the subsequent application of respondent No.1;

(iv) that report of Annexure R/2 mentions that Panchanama was prepared on 8.12.2002 in the presence of forest officers, revenue officers and the land owner Chamru, the land is recorded in the name of Chamru and some others, it is not adjacent to forest and protected forest is at a distance of 5 km, effective working plan prepared for girth of the trees recommended for felling corresponds with the working plan and therefore, their felling is recommended and the approximate value of felling trees has also been mentioned. The report nowhere mentions that the recommended trees are wind-fallen or dried trees;

(v) that there is utter confusion in the description of the land belonging to respondent No.1 as earlier Khasra Nos. 264/1, 325/1 have been converted into Khasra Nos. 134, 142, 144, 1581, 1583 whereas Khasra Nos.325/1, 325/36, 325/37, 325/68 have been subsequently converted into Khasra Nos. 1581, 1583, 1585, 1586. Applications of respondent No. 1 pertain to Khasra Nos. 264/1 & 325/1 only and some land belonging to the State admeasuring 5 hectares has been clubbed with Khasra No. 323, area 10.01 acres Bade Jhad Ka Jungle and some other land has been clubbed with the land of respondent No.1 and the land has also been recorded in the revenue record as Bade Jhad Ka Jungle and Chhote Jhad Ka Jungle as per subsequent report of the Joint Collector; and

(vi) that the report of Tehsildar of Annexure R-1/4 does not mention that the trees recommended for felling are wind-fallen or dried or hollow trees.

26. There is no material available on record to show that the land in question has been classified that it is not a forest land by an expert committee. On the other hand, from perusal of the

applications of respondent No. 1 as also from the report of Tehsildar and D.F.O. in which it has been mentioned that sufficient number of naturally grown timber trees of forest species were existing over the land in question and the same is described as Bade Jhad Ka Jungle and Chhote Jhad Ka Jungle in the revenue records, it is clear that reports of the revenue/forest authorities that the land in question does not come within the definition of forest land, are not borne out from the material available on record. The D.F.O. in his report has referred to the effective working plan prepared by some Shri R.P. Singh, I.F.S., however, there is no reference that the said plan has the approval of State Government, MoEF. The manner in which the application for permission of felling trees has been processed and recommendations for felling trees have been made by the forest/revenue authorities, is far from satisfactory. The Board of Revenue without considering the above aspect has mechanically accepted the recommendations of the lower level revenue authorities and the D.F.O and accorded permission of felling trees by reviewing the order passed by another single Member of the Board of Revenue.

27. So far as submission of counsel for respondent No.1 based on the judgments in the matter of Sri Ram Saha (supra) is concerned, the above case is distinguishable on facts as the cited case pertains to non-forest private plantation and the Hon'ble Supreme Court considering that the judgment in the matter of T.N. Godavarman, did not extend to felling of trees of non-forest private plantation and there being no State enactment dealing with felling of trees in non-forest private plantation, set aside the imposition of restrictions and conditions for felling trees in appellant's private non-forest garden land.

28.. So far as argument of learned counsel for the petitioner that learned single Member of Board of Revenue could not have reviewed the orders passed by co-ordinate member of the Board in view of Rule 7 is concerned, this Court is of the opinion that it

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would have been proper for the learned single Member to refer the review application before the Chairman for constitution of the Bench in accordance with Rule 7. However, the appeal preferred by respondent No. 1 was rejected by the order of Annexure P/5 without dealing with the relevant provisions of law under which the application was filed, therefore, decision to review the above order cannot be faulted.

29. It is not in dispute that the trees permitted to be felled by the Board have been harvested, however, in view of the orders of the Hon'ble Supreme Court and taking into consideration the fact that respondent No.1 and others claiming themselves to be Bhumiswami of the land admeasuring more than 132 acres, applied for permission for felling timber trees of forest species standing on their land for the purpose of meeting expenditure towards payment of income tax and also for converting their holdings into agricultural land and taking into account that large number of trees are still standing over the land in question and more than 400 trees have already been felled on the basis of permission of Annexure P/1, I am of the considered opinion that the procedure adopted by the revenue/forest authorities in conducing enquiry and according permission for felling trees, calls for thorough investigation to ascertain whether the same were in conformity with the various directions, orders and judgments passed by the Hon'ble Supreme court or whether there is any complicity of the above officers in facilitating respondent No.1 in felling timber trees of forest origin?

30. In the result, the petitioner/State Government is directed to place entire records of the revenue cases registered on the basis of above applications of respondent No.1 for permission of felling trees including the reports/recommendations of the revenue/forest authorities and orders passed by the concerned Collector and Board of Revenue before the Central Empowered Committee constituted by the Hon'ble Supreme Court in the matter of Godavarman, within a period of one month from today, with a

request as per rules and procedure notified by the Committee, for conducting enquiry with regard to:

(a) whether the land in question comes within the definition of forest as per Section 2 of the Forest Conservation Act, 1980 as interpreted by the Hon'ble Supreme Court;

(b) whether the procedure adopted for according permission for felling trees by the revenue/ forest authorities was in conformity with the various orders, directions and judgments of the Hon'ble Supreme Court;

(c) whether there is any complicity of any of the authorities in facilitating the respondent No. 1 in obtaining permission for felling trees;

(d) action, if any, recommended against the erring officers;

(e) final disposal of the sale consideration of harvested timber deposited with the nationalized bank as per direction of this Court.

31. Having regard to the fact that the matter is pending since long, the Committee is requested to expedite the matter and conclude the enquiry preferably within a period of 3 months from the date of receipt of request of the State Government and all concerned are directed to participate in and cooperate with the enquiry. The State shall take further steps in accordance with the recommendations of the Central Empowered Committee.

The petition is, accordingly, disposed of.

Sd/-
Dhirendra Mishra
Judge